

§ 525.8 Processing of petitions.

(a) If a petition is found not to contain the information required by this part, the petitioner is informed about the areas of insufficiency and advised that the petition will not receive further consideration until the required information is submitted.

(b) The Administrator may request the petitioner to provide information in addition to that required by this part.

(c) The Administrator publishes a proposed decision in the FEDERAL REGISTER. The proposed decision indicates the proposed grant of the petition and establishment of an alternative average fuel economy standard, or the proposed denial of the petition, specifies the reasons for the proposal and invites written public comment on the proposal.

(d) Any interested person may, upon written request to the Administrator not later than 15 days after the publication of a notice under paragraph (c) of this section, meet informally with an appropriate official of the National Highway Traffic Safety Administration to discuss the petition or notice.

(e) After the conclusion of the period for public comment on the proposal, the Administrator publishes a final decision in the FEDERAL REGISTER. The final decision is based on the petition, written public comments, and other available information. The final decision sets forth the grant of the exemption and establishes an alternative average fuel economy standard or the denial of the petition, and the reasons for the decision.

(Sec. 301, Pub. L. 94-163, 89 Stat. 871 (15 U.S.C. 2002); delegation of authority at 41 FR 25015, June 22, 1976); sec. 9, Pub. L. 89-670, 80 Stat. 981 (49 U.S.C. 1657))

[42 FR 38376, July 28, 1977, as amended at 44 FR 55579, Sept. 27, 1979]

§ 525.9 Duration of exemption.

An exemption may be granted under this part for not more than three model years.

§ 525.10 Renewal of exemption.

A manufacturer exempted under this part may request renewal of its exemp-

tion by submitting a petition meeting the requirements of §§ 525.6 and 525.7.

§ 525.11 Termination of exemption; amendment of alternative average fuel economy standard.

(a) Any exemption granted under this part for an affected model year does not apply to a manufacturer that is ineligible under § 525.5 for an exemption in that model year.

(b) The administrator may initiate rulemaking either on his own motion or on petition by an interested person to terminate an exemption granted under this part or to amend an alternative average fuel economy standard established under this part.

(c) Any interested persons may petition the Administrator to terminate an exemption granted under this part or to amend an alternative average fuel economy standard established under this part.

§ 525.12 Public inspection of information.

(a) Except as provided in paragraph (b), any person may inspect available information relevant to a petition under this part, including the petition and any supporting data, memoranda of informal meetings with the petitioner or any other interested persons, and the notices regarding the petition, in the Docket Section of the National Highway Traffic Safety Administration. Any person may obtain copies of the information available for inspection under this paragraph in accordance with part 7 of the regulations of the Office of the Secretary of Transportation (49 CFR part 7).

(b) Except for the release of confidential information authorized by section 505 of the Act and part 512 of this chapter, information made available for public inspection does not include information for which confidentiality is requested under § 525.6(g) and is granted in accordance with part 512 and sections 502 and 505 of the Act and section 552(b) of title 5 of the U.S.C.

[46 FR 2063, Jan. 8, 1981]

**PART 526—PETITIONS AND PLANS
FOR RELIEF UNDER THE AUTO-
MOBILE FUEL EFFICIENCY ACT OF
1980**

Sec.

526.1 General provisions.

526.2 U.S. production by foreign manufacturer.

526.3 Transfer of vehicle from non-domestic to domestic fleet.

526.4 [Reserved]

526.5 Earning offsetting monetary credits in future model years.

AUTHORITY: 15 U.S.C. 2002 and 2003; delegation of authority at 49 CFR 1.50.

SOURCE: 47 FR 7248, Feb. 18, 1982, unless otherwise noted.

§ 526.1 General provisions.

(a) *Applicability.* These regulations apply to petitions and plans submitted under the Automobile Fuel Efficiency Act of 1980, Pub. L. 96–425, as codified in Title V of the Motor Vehicle Information and Cost Savings Act, 15 U.S.C. 2001 *et seq.*

(b) *Address.* Each petition and plan submitted under the applicable provisions of sections 502 and 503 of the Motor Vehicle Information and Cost Savings Act must be addressed to the Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington DC 20590.

(c) *Authority and scope of relief.* Each petition or plan must specify the specific provision of the Motor Vehicle Information and Cost Savings Act under which relief is being sought. The petition or plan must also specify the model years for which relief is being sought.

[47 FR 7248, Feb. 18, 1982, as amended at 59 FR 25576, May 17, 1994]

§ 526.2 U.S. production by foreign manufacturer.

Each petition filed under section 503(b)(3) of the Motor Vehicle Information and Cost Savings Act must contain the following information:

(a) For each model type (as defined by the Environmental Protection Agency in 40 CFR part 600) planned by the petitioner to be sold in the United States (regardless of place of manufacture), and for each model year beginning with the year before the first one

for which relief is sought by the petition through the last year covered by the petition, the following information based on the petitioner's current product plan and the assumption that the petition will be granted:

(1) A description of the model type, including car line designation, engine displacement and type, transmission type, and average fuel economy;

(2) U.S. sales projected for the model type;

(3) The average percentage of the cost to the manufacturer of the model type which is attributable to value added in the United States or Canada, determined in accordance with 40 CFR 600.511–80, and the total manufacturing cost per vehicle; and

(4) In the case of model types not offered for sale in the United States before the first year for which relief is sought in the petition or other model types for which expansions in production capacity are planned during the years covered by the petition, information (including any marketing surveys) indicating from where the additional sales will be captured. If sales are projected to be captured from U.S. manufacturers, the petition must provide an estimate of the employment impact on those manufacturers of the lost sales and the gain in employment for the petitioner and its U.S. suppliers.

(b) The total number of persons employed in the United States by the petitioner, excluding non-motor vehicle industry related employees, for each model year covered by the petition and for the model year immediately prior to those years.

(c) A description of how the petitioner's responses to paragraphs (a) and (b) of this section would differ if the petition were denied.

[47 FR 7248, Feb. 18, 1982, as amended at 59 FR 25576, May 17, 1994]

§ 526.3 Transfer of vehicle from non-domestic to domestic fleet.

Each plan submitted under section 503(b)(4) of the Motor Vehicle Information and Cost Savings Act must contain the following information:

(a) For each model year for which relief is sought in the plan and for each model type of automobile sought to be